

BORAH GOLDSTEIN
ALTSCHULER NAHINS & GOIDEL, P.C.



Jeffrey C. Chancas

Partner

JChancas@borahgoldstein.com

O: (212) 431-1300, Ext. 611

November 18, 2021

Via ECF

Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square-Courtroom 618
New York, New York 10007

MEMO ENDORSED

Re: Ricardo Velasquez v. Sunshine Florist Inc.
and El-Kam Realty Co.
United States District Court
Southern District of New York
Case No. 21-cv-03588-KPF

Honorable Judge Failla:

This firm represents Defendant El-Kam Realty Co. (“El-Kam”) in the above-referenced matter. We are writing this joint letter on behalf of El-Kam and Defendant Sunshine Florist Inc. (“Sunshine”) (collectively “Defendants”), with the consent of Sunshine’s counsel, respectfully to request: (a) an extension of time for Defendant El-Kam to answer, move or otherwise respond to the Complaint from the current due date of tomorrow, November 19, 2021, through and including December 17, 2021; and (b) an adjournment of the Initial Pre-trial Conference (“the Conference”) currently scheduled for November 30, 2021, at 4:00 p.m. until January 7, 2022 in the afternoon or January 14, 2022 after 11:00 a.m., or another date in January 2022 at the Court’s convenience.

This is El-Kam’s sixth request to extend the time to answer, and the second by this firm. The first request was by a letter motion dated and filed June 8, 2021 [ECF #11], which the Court granted by an Order dated and entered June 8, 2021 [ECF #13]. The second request was by a letter motion dated and filed June 22, 2021 [ECF #14], which the Court granted by an Order dated and entered June 22, 2021 [ECF #15]. The third request was by a letter motion dated and filed August 11, 2021 [ECF #19], which the Court granted by an Order dated and entered August 11, 2021 [ECF #20]. The fourth request was by a letter motion dated and filed September 8, 2021 [ECF #21], which the Court granted by an Order dated and entered September 9, 2021 [ECF #22]. The fifth request was by a letter motion

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dated and filed October 14, 2021 [ECF #28], which the Court granted by an Order dated and entered October 15, 2021 [ECF #31].

The first, second, third and fifth of those letter motions also requested and were granted extensions of the Conference.

While the Court, in its Order of September 9, 2021 [ECF #22], stated with respect to El-Kam's answer deadline of November 19, 2021, that, "the Court does not anticipate granting my further extension," we respectfully request that the Court grant this additional extension.

Counsel for the parties have been and are still actively engaged in settlement discussions, which are going very well; all counsel are confident that a settlement can soon be reached and are trying to avoid additional legal fees being incurred. However, counsel for Sunshine recently had an injury, resulting in emergency surgery and a four (4) day hospital stay, which has delayed the recent progress.

Plaintiff's counsel consents to both requests. These requests do not interfere with any other scheduled dates.

Wherefore, I respectfully request that the Court grant the extension of time for Defendants to file their answer to the Complaint until December 17, 2021 and grant the adjournment of the Conference.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey C. Chancas".

JEFFREY C. CHANCAS

JCC/ac

Application GRANTED. Defendant El-Kam Realty Co. and Defendant Sunshine Florist Inc. shall respond to the Complaint on or before December 17, 2021. This will be the final extension. The initial pretrial conference scheduled for November 30, 2021 is hereby ADJOURNED to January 7, 2022, at 11:30 a.m. The Court wishes Ms. Stricker a speedy recovery.

The Clerk of Court is directed to terminate the pending motions at docket numbers 32 and 33.

Dated: November 18, 2021 SO ORDERED.
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE